



Rezoning Petition No. 201404018

PROPERTY INFORMATION

Address, Land Lot, and District	6075 & 6077 Roswell Road, 6090 Boylston Drive Land Lot 89, District 17
Council District	3 (Graham McDonald)
Frontage	195 feet of frontage along the east side of Roswell Road and 273 feet along the west side of Boylston Drive
Area	4.381 Acres
Existing Zoning and Use	C-1 (Community Business District), currently developed with a commercial use
Overlay District	Main Street Overlay District
2027 Comprehensive Future Land Use Map Designation	LWC (Live Work Community)
Proposed Zoning	MIX (Mixed Use District)

APPLICANT/PETITIONER INFORMATION

Property Owner Griffin 6075 Roswell Road Partners, LLC	Petitioner Camden USA, Inc.	Representative Nathan V. Hendricks	
Community Zoning Information Meeting November 25, 2014	Community Developer Resolution Meeting December 17, 2014	Planning Commission Hearing February 19, 2015	Mayor and City Council Hearing March 17, 2015

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201404018- DEFERRAL
201404018 Variances #1-DENIAL

PLANNING COMMISSION RECOMMENDATION- February 19, 2015

201404018- TBD
201404018 Variances #1-TBD

BACKGROUND

The Applicant has applied to rezone the subject properties from C-1 (Community Business District) to MIX (Mixed Use District) to construct a mixed use development.

Additionally, the applicant is requesting one (1) concurrent variance from the Zoning Ordinance as follows:

1. Variance from 12B.8.F.2.c.i to delete the 60% transparent glazing requirements.

This property is located at 6075 and 6077 Roswell Road and is within the City Center Master Plan Area. The applicants intent is to rezone the subject property C-1 (Community Business District) to MIX (Mixed Use District). This will include 316 for rent multi-family units along with 3,300 square feet of retail and office uses.

	Residential	Retail/Office
Units/Sqft	316	3,300
Density	72.12	753.25
Height	4 stories	1 story (partial)
Bedrooms	394	N/A

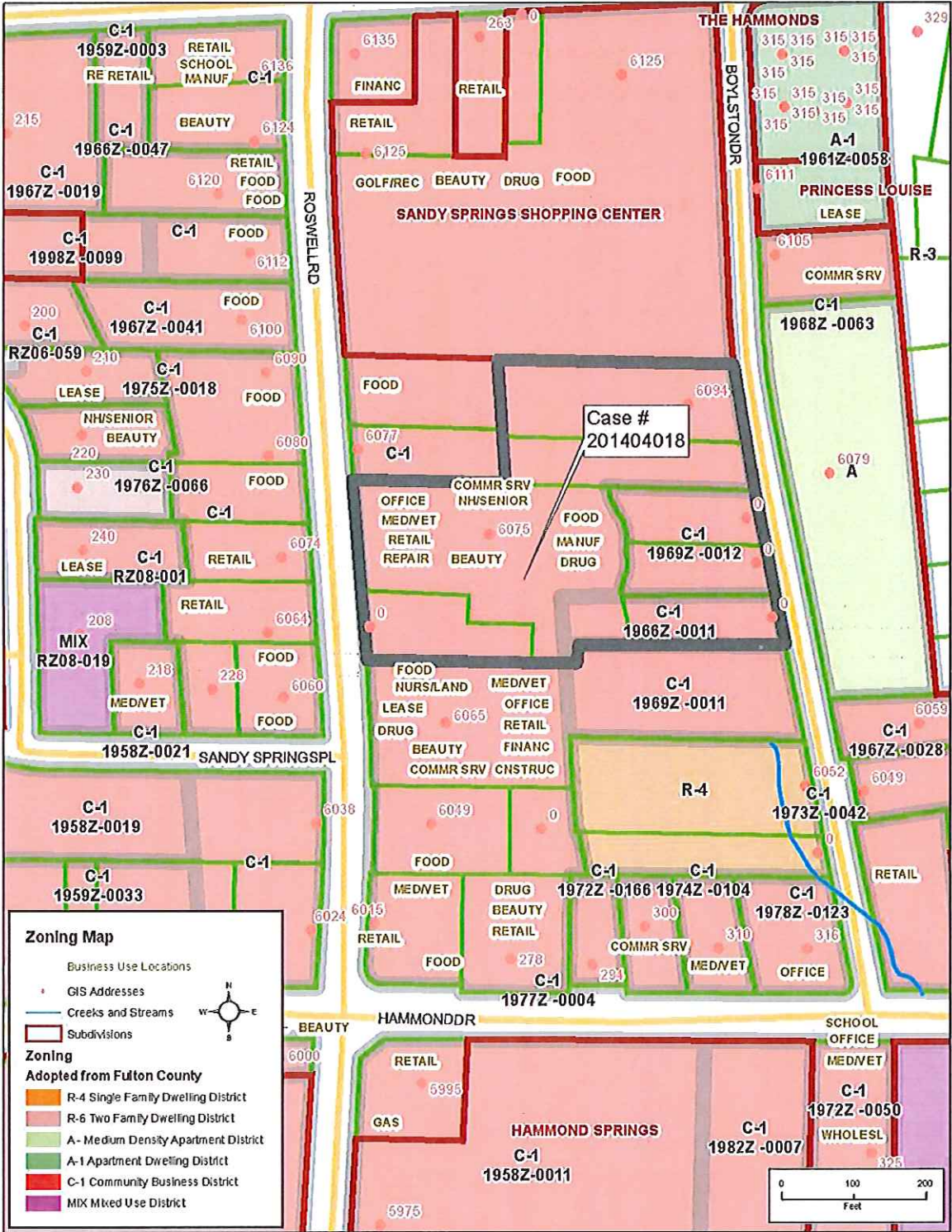
Retail and office uses will be located only within a portion of the first floor of the proposed development along Roswell Road. Multifamily residential units will be located on the upper stories above these uses. The remainder of the property will consist entirely of multi-family residential units, including this use on the ground floor along Boylston Drive and the newly created street. The concurrent variance requested which is to delete the 60% transparent glazing requirements, lies along these frontages.

PROPOSED LAND USE AND ZONING						
Requested Zoning	Land Area (Acres)	Proposed Use	Square Footage by Use	Number of Units & Sq. Ft. per unit	Percentage of Total S.F. by Use	Density
MIX	4.381	Apartments	366,484 sf	316 units; 1159 sf/unit	99.1%	72.12 units/ac
		Retail/Office	3,300 sf	N/A	0.9%	753.25 sf/ac

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY					
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage/ units	Density (Square Feet or Units Per Acre)
North	C-1	6125 Roswell Road	4.39	67, 248 Commercial	15,318.45 sf/ac
East	A (201401682)	6079 Boylston Drive	2.14	15 Multifamily Units	7.01 units/ac
South	C-1	6087 Roswell Road	2.02	187, 068 Office/Commercial	9,260.39 sf/ac
West	C-1	6080 Roswell Road	0.36	4,640 Restaurant	12,712.32 sf/ac
West	C-1	6074 Roswell Road	0.34	3,840 Commercial	11,294.11 sf/ac
West	C-1	6064, 6066, 6068 Roswell Road	0.41	4,260 Commercial	10,390.24 sf/ac
West	C-1	6060 Roswell Road	0.33	1,790 Restaurant	5,424.24 sf/ac

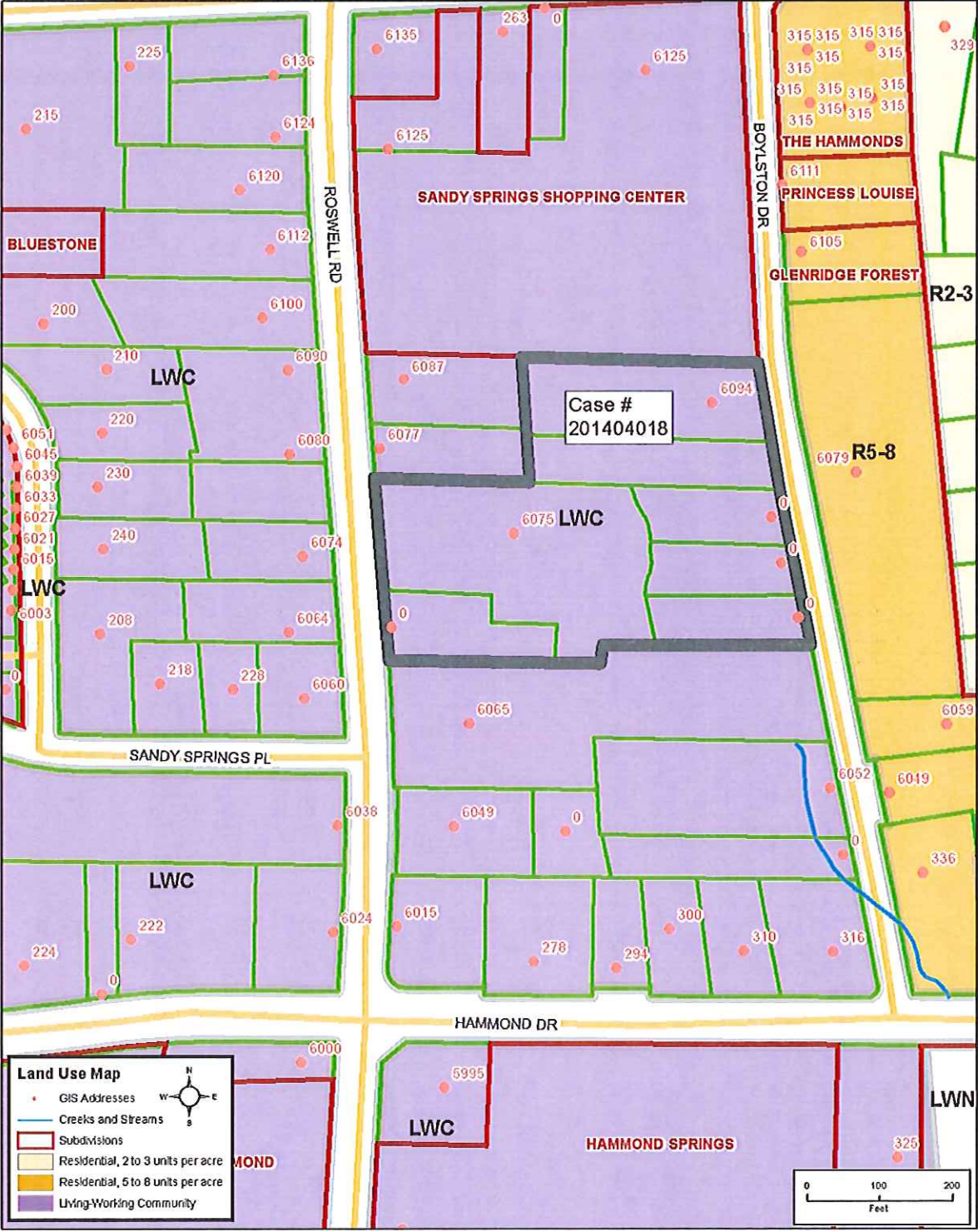
Zoning Map

6075 Roswell Road (SR 9)

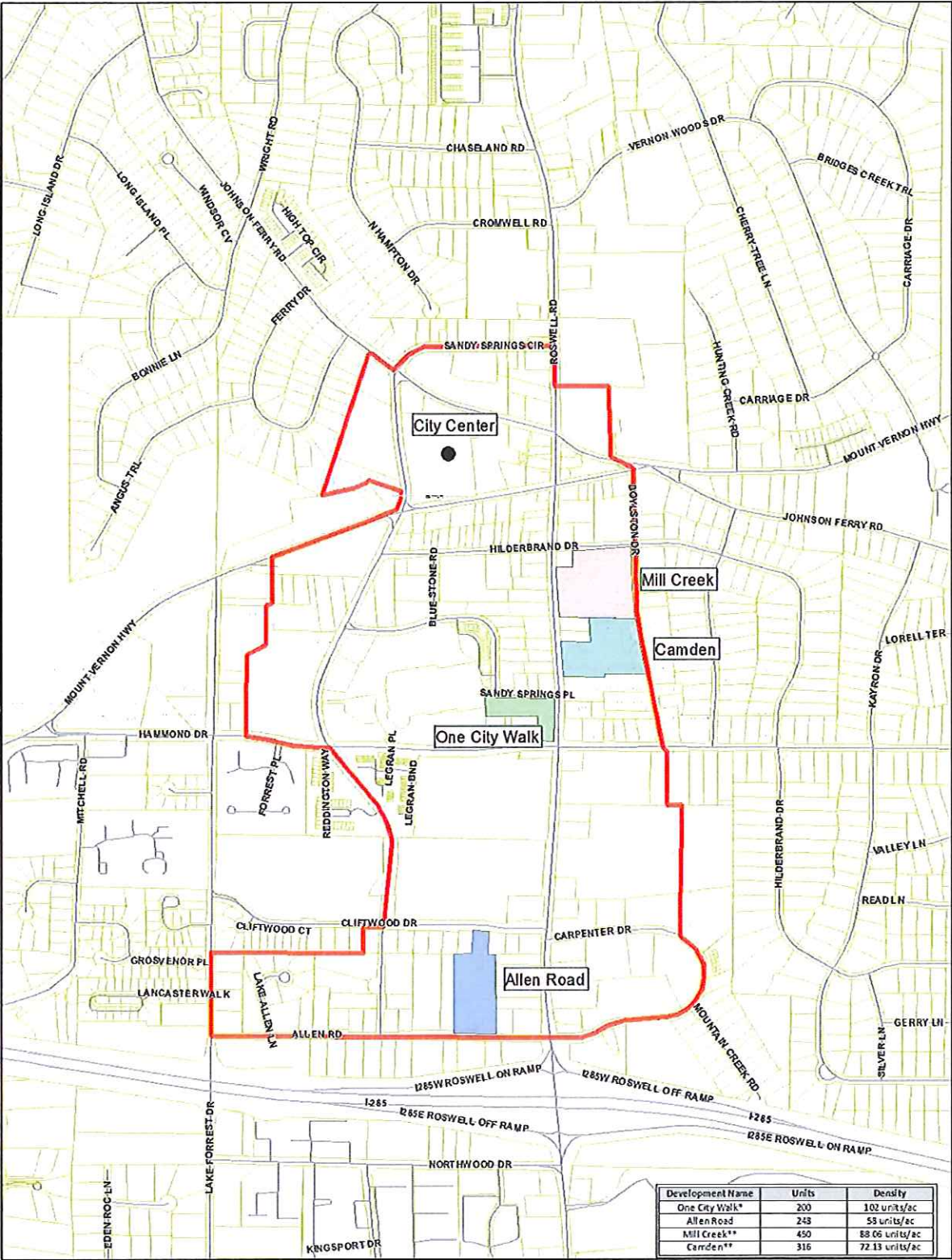


Future Land Use Map

6075 Roswell Road (SR 9)



Recent City Center Multi-family Developments



ZONING IMPACT ANALYSIS

Per Article 28.4.1, *Zoning Impact Analysis by the Planning Commission and the Department*, the staff shall make a written record of its investigation and recommendation on each rezoning petition with respect to the following factors:

A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*

Finding: The staff is of the opinion that the proposed use is suitable in view of the use and development of adjacent and nearby property. The adjacent uses are as follows: Commercial (north, south and west) and Multi-Family Residential (east). The proposed development would be replacing several 1960’s era commercial buildings. The retail/office components of the mixed use development are proposed to be located along Roswell Road. Multi-family dwellings will also be located on the floors above the retail/office components. Multi-family dwellings would continue through the property to its eastern property line with Boylston Drive where a townhouse development was recently approved.

B. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*

Finding: The staff is of the opinion that the proposal will not adversely affect the use of the adjacent or nearby properties. The properties to the north, west and south are all commercial properties. The approved multi-family development to the east will be adjacent to the apartment component of the proposed development. The parking structure along Boylston Drive is exposed and does not provide a proper transition to the residentially zoned property across the street.

C. *Whether the property to be affected by the zoning proposal may have reasonable economic use as currently zoned.*

Finding: The staff is of the opinion that the subject property has a reasonable economic use as currently zoned. The property is currently developed with 109,161 square feet of office and commercial space along with a parking deck at the rear of the property.

D. *Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.*

Finding: The staff is of the opinion that the proposal at the current multi-family density of 72.12 units per acre may cause an excessive or burdensome use of the existing infrastructure. The primary concern is the burden placed on existing roads, most notably Roswell Road. Additionally, the number of curb cuts along Roswell Road does not create an environment which is pedestrian friendly. The Fulton County School Board report is attached.

E. *Whether the zoning proposal is in conformity with the policies and intent of the land use plan.*

Finding: The staff is of the opinion that the proposed mixed use with multi-family residential is consistent with the intent of the future land use plan; Living-Working Node 8: Town Center; and the identified need for mixed-use projects under the Sandy Springs City Center Master Plan guidelines. The applicant is requesting a density of 77.12 residential (multi-family) units/acre. This proposed density is not consistent with the suggested maximum of 40 to 50 residential units per net acre (without streets) within the City Center Master Plan, which is based upon a development that has a 30-50% surface parking to 50-70% structure parking split. An allowance for up to 60 units per acre, if a higher percentage of structured parking is provided for, is outlined in the City Center Master Plan’s Market Analysis. The City Center Master Plan density supercedes the 20 residential units per acre prescribed in the Comprehensive Plan.

The proposed project would potentially have significant impacts on market demand for multifamily units within the City Center Master Plan Area. The market analysis within the adopted plan identifies a market opportunity within the entire City Center Master Plan Area of 1,155 new multifamily units by 2017 and 1,500 units by 2022 assuming current market trends continue. A varied mix of unit types, sizes and prices is recommended in the

City Center Master Plan to generate the strongest market possible. This proposed project would consume over 27% and 21% of those respective projections. Since the creation of the master plan, 770 multifamily units have been built or approved for construction. Staff is of the opinion that concentrating high quantities of multifamily units on individual parcels could be detrimental to the development of the City Center study area.

The proposed density of 753.25 retail/office square feet per acre is significantly less than the maximum square feet per acre for both Living-Working Community and Living-Working Node 8: Town Center designations. Staff is of the opinion that the small amount of proposed retail/office does not meet the intent of the comprehensive plan and overlay district. Additionally, these uses do not create a continuous storefront along Roswell Road, being divided by parking spaces and 3 curb cuts. The absence of a significant mix of uses, with multi-family residential utilizing over 99% of the project's total floor area.

The Comprehensive Plan includes guidelines and policies for the Town Center Node that provide for density and height bonuses beyond the recommendations of the Comprehensive Plan. The Town Center Guidelines and Policies section of the plan is incorporated in the bullets below the table. Additionally, other plan policies that staff considered in developing the recommendation for this proposal are also listed.

Proposed Density	Comprehensive Plan	City Center Master Plan
	LWC (Node 8)	
Commercial/Office- 753.25 sqft/ac Residential – 72.12 units/ac Height- 5 stories	Commercial – 25,000 sqft/ac or greater Residential – 20 units/ac or greater Height- 6 stories (Main Street Overlay)	Commercial – 25,000 sqft/ac or greater Residential – 40-50, 60* units/ac Height- 6 stories

The project is inconsistent with the following polices set forth in the Comprehensive Plan:

Node 8: Town Center

- 4. To encourage pedestrian activity, the Town Center should emphasize contiguous store frontages to add visual interest to the city's central marketplace.
- 5. The following guidelines shall highlight the growth and development of the Town Center:
 - c. Heights and architectural elements shall be varied.
 - d. Retail uses are essential to maintaining pedestrian activity; therefore, the development of ground floor retail uses shall be strongly encouraged along Roswell Road, Hildebrand Drive, Sandy Springs Circle and Hammond Drive.
- 6. Development of the Town Center area is recommended at the following levels:
 - a. Maximum residential density: up to 20 units/acre.
 - c. Minimum open/green space (and shall not include parking lots): 15%.
- 7. Town Center transition policy:
 - a. Development on the borders of the Town Center shall accommodate an appropriate transition to less intense development outside the area. Appropriate forms of transition shall include, but not be limited to:
 - i. Utilizing less intense uses
 - ii. Building heights, bulk, and architecture compatible with nearby developments
 - iii. The use of green space and possible linear or pocket parks.
 - iv. Provide for the relocation of utilities underground or at the rear of new developments resulting from assemblage.

The project is inconsistent with the following polices set forth in the City Center Master Plan:

- Development Feasability Analysis** – 40-50 units/acre; 5 year absorbtion rate of 231 units/year; distribution of housing types throughout the Sandy Springs City Center Master Plan area.
- Strategy 2 -Action Steps – Roswell Road Corridor** – Building edge: continuous as possible along sidewalks; variation in façade positions to create a variety of active wide sidewalk and plaza spaces including outdoor dining, benches, street strees and other plantings; 4th story step-back; access from side and rear streets instead of Roswell Road.
- Strategy 3- Support mixed-use neighborhoods with a network of walkable streets** – The revised site plan reduces public spaces and does not develop walkable streets including the new street and on Boylston Drive. Further analysis could be provided.

F. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*

Finding: The staff is of the opinion that there are existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant’s proposal. Adoption of the City Center Master Plan in 2012 and the planned development of the City Center have changed the standards and vision for the City Center study area. These new development standards are changed conditions which impact the project.

G. *Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.*

Finding: The staff is of the opinion that the proposal would not permit a use which could be considered environmentally adverse to the natural resources, environment; or citizens of Sandy Springs, other than noted above. The proposal will be required to meet all current City Codes including, but not limited to stormwater management system, replanting of required buffers, landscape strips, interparcel access to eliminate curb cuts, creation of a grid street network and streetscape.

VARIANCE CONSIDERATIONS

1. Variance from 12B.8.F.2.c.i to delete the 60% transparent glazing requirements.

Article 22 of the Zoning Ordinance indicates the following are considerations in granting variances, of which only one has to be proven:

- 1. *Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or,*
- 2. *The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or,*

The applicant has indicated that the variances being requested will be in harmony with the policy and intent of the Zoning Ordinance and will not result in any harm to the health, safety and welfare of the general.

Staff is of the opinion that the request to to delete the 60% transparent glazing requirements is not in harmony with the intent of the Zoning Ordinance. This variance request would only apply along frontages with first floor residences which will include: Boylston Drive and the newly created road on the north side of the property. The proposed development lacks

continuous storefrontage along Roswell Road. The proposal provides less than 40 feet of retail storefront along Roswell Road. It also has limited pedestrian engagement on the Boylston Drive frontage due to increased setbacks and a parking structure facing the street. The proposed parking structure encompasses a great deal of the façade on both the first floor as well as upper floors along the east (Boylston Drive) and south frontages. Therefore, based on these reasons, the staff recommends **DENIAL** of this variance request.

DEPARTMENT COMMENTS

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on December 3, 2014 at which the following departments had comments. The staff has received additional comments from the Fulton County Board of Education and Fulton County Department of Water Resources (see attachments). The applicant indicated that a traffic study will be submitted.

Public Works Division	Comments
Transportation Services	<p><u>Background Information</u></p> <ul style="list-style-type: none">- Roswell Road is classified a Principal Arterial Street with a posted speed of 35mph and average daily traffic of 37,910 south of the site (GDOT, 2013).- Boylston Road is classified a Minor Street with a posted speed of 30mph and average daily traffic of 3,700 (COSS, 2010). <p><u>Overlay District Requirements</u></p> <ul style="list-style-type: none">- Streetscapes shall conform to the City Center Master Plan within the Main Street Overlay District. Roswell Road: 2' paver band with 9' sidewalk; Boylston Road: 2 lane with parking (11' travel lane, 8' parking lane, 8' landscape strip, and 10' sidewalk adjacent to mixed use). <p><u>Planned Projects from Adopted Plans</u></p> <p>City Center Master Plan</p> <ul style="list-style-type: none">- Exhibit 13: Create walkable street grid (includes new north-south alley and new east-west street, "2 lane with parking")- Exhibit 15: Create bicycle sidepath along Boylston Drive. <p>Transportation Master Plan</p> <ul style="list-style-type: none">- C2, C3: Sidewalks connections on Boylston Drive.- C17: Provide interparcel pedestrian connections at key locations in downtown Sandy Springs, including Boylston Drive to Sandy Springs Circle.- C5: Provide streetscape improvements along Roswell Road from Abernathy Road to Hilderbrand Drive- C19: Construct centralized parking structures to provide shared parking supply as redevelopment occurs.- A6: Develop improvement concepts to implement access management techniques along Roswell Road to include signal spacing, interparcel access, backside connections, and medians where appropriate.

Public Works Division	Comments
	<ul style="list-style-type: none">- A9: Work with property owners to establish interparcel connectivity in Downtown Sandy Springs and along Roswell Road and other commercial corridors. <p>Bicycle, Pedestrian and Trail Plan</p> <ul style="list-style-type: none">- B05: Roswell Road sidepath from Hammond Drive to Sandy Springs Circle- S10: Boylston Drive sidewalks from Hammond Drive to Mt Vernon Highway <p>Recommended Conditions</p> <ul style="list-style-type: none">- Reservation of 25-foot wide utility corridor behind the 55-foot right-of-way dedication.- Create north-south Alley as shown in City Center Master Plan to align with proposed Alley to the north and south. <p><i>At the time of permitting, the site shall meet requirements of Articles 11 and 12 of the Development Ordinance. Based on a review of the zoning site plan, please note the following:</i></p> <ul style="list-style-type: none">- All proposed streets shall be constructed to public street standards, §103-70.- Proposed access shall meet uninterrupted ingress/egress requirements of Sandy Springs or Georgia DOT (for Roswell Road). Applicant shall determine requirements for left-turn or deceleration lanes at proposed access. Proposed access shall meet minimum separation and spacing and be designed to avoid off-set conflicts. The minimum spacing is 300 feet for Roswell Road and 250 feet for Boylston. Only one driveway is permitted per each full 200 feet of property frontage. The three proposed access locations on Roswell Road exceed the ordinance. A traffic impact study is required. §103-73- The minimum right-of-way dedication for Roswell Road is 55 feet from centerline, 11 feet from back of curb or 1 foot from back of sidewalk, whichever is greater. The minimum right-of-way dedication for Boylston Drive and proposed new east-west streets is 37 feet from centerline, 11 feet from back of curb or 1 foot from back of sidewalk, whichever is greater. The minimum right-of-way dedication or common easement for recommended north-south alley is 36 feet or 11 feet from back of curb or 1 foot from back of sidewalk, whichever is greater. Right-of-way miters shall be provided at each street intersection: 20' for streets intersecting Roswell Road and 10' for all other streets. §103-75- All access points shall meet minimum sight distance. §103-77
Capital Improvement Program (CIP)	None.

Public Works Division	Comments
Capital Improvement Program (CIP)	None.
Stormwater Services	Site plan should indicate proposed stormwater management and consider offsite stormwater flows through the project.
Field Services	None.

PUBLIC INVOLVEMENT

Public Comments (Letters are provided in file)

Opposition

- Density/ bad precedence
- Building height too high
- Increase in traffic
- Too much multi-family housing already
- Scale to neighborhood
- Transition
- Underground utilities

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201404018- DEFERRAL

Variance #1- APPROVAL CONDITIONAL

It is the opinion of staff that the proposal, while providing a mix of uses, is not in conformity with the intent of the Comprehensive Plan Policies and the City Center Master Plan. The density of the proposed multi-family residential units far exceeds the densities of developments similar in size and nature within the Main Street Overlay District along with those prescribed by the Comprehensive Plan policies. The proposed mix of uses is limited and not consistent with the policies and intent of the Comprehensive Plan and the City Center Master Plan. Therefore, based on these reasons, the staff recommends **DEFERRAL** of the Rezoning petition and **DENIAL** of associated concurrent variance #1.

The following would be needed for staff to provide a further analysis:

- Elevations of each block of the north-south and east-west sections of the site.
- A more fully developed and dimensioned landscape/hardscape plan with topography.
- A study of transportation impacts.

PLANNING COMMISSION RECOMMENDATION- February 19, 2015

201404018- TBD

Variance #1- TBD

Should the Mayor and City Council decide to rezone the subject property from C-1 (Community Business District) to MIX (Mixed Use District), the staff recommends the approval be subject to the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Multifamily residential use at a maximum density of 77.12 units per acre or 316 units, whichever is less.
 - b. Retail/Service Commercial and associated accessory uses at a maximum density of 753.25 gross square feet per acre or 3,300 gross square feet, whichever is less.
2. To the owner's agreement to abide by the following:
 - a. The site plan received by the Department of Community Development on February 2, 2015. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance, the Development Standards contained therein, and these conditions prior to the approval of any Land Disturbance Permit. In the event the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
 - b. The renderings received by the Department of Community Development on December 18, 2014.
3. To the owner's agreement to provide the following site development standards:
 - a. Pedestrian zones between the back of curb and building facades shall in accordance with Appendix B of the City Center Master Plan.
 - b. Ground floor residential units that are adjacent to the sidewalk on Boyleston Drive and the Newly Created Road (to be named later) shall have individual entrances to such units directly accessible from the sidewalk and shall open directly onto the adjacent sidewalk, park, plaza, terrace or porch adjacent to the sidewalk.
 - c. Ground floor residential units that are adjacent to the sidewalk on Hilderbrand Drive, Boyleston Drive and the Newly Created Road (to be named later) shall have a finished floor elevation to be between 18 inches and 30 inches above sidewalk grade.
 - d. Provide retail frontage on Roswell Road with a minimum 70% transparent glazing between 2 feet and 12 feet above sidewalk grade.
 - e. All utilities be placed underground.
 - f. Meet all requirements identified in Public Works comments listed in this report.
 - g. Coordinate street designs, alignments, lighting and street tree locations and accesses with the adjacent Bank of America development.
 - h. Provide retail frontage on Roswell Road with a minimum 70% transparent glazing between 2 feet and 12 feet above sidewalk grade.

- i. Roswell Road, Boylston Drive and newly created streets and alleys shall employ a street design in accordance with the City Center Master Plan.
- j. Create a minimum of 20% open space on the property.
- k. Eliminate southern-most curb cut on Roswell Road.
- l. Increase the mix of uses to be consistent with the City Center Master Plan.

Attachments

- Letter of Intent dated received November 4, 2014
- Modification of Letter of Intent, Site Plan and Legal Description dated received February 2, 2015
- Revised Site Plan dated received February 2, 2015
- Renderings dated received December 18, 2014
- Impact Statement Fulton County Schools
- Water Resources, Fulton County Department of Health Services and Fulton County Department of Planning and Community Service
- Fulton County Health Department
- Letters of Opposition

LETTER OF INTENT

The property is bounded by Roswell Road to the west and Boylston Drive to the east and contains approximately 4.094 acres and is commonly known as 6075 Roswell Road, Sandy Springs, Georgia (the "Property"). The Property is presently zoned unconditionally to the C-1 Classification.

The Applicant requests a rezoning to the MIX Classification for the development of 316 "For Rent" multifamily units and 2,200 square feet of office use and 1,100 square feet of retail use which office and retail uses will be ground floor directly giving pedestrian engagement to Roswell Road as is intended under the Main Street Overlay District. It is to be noted that the Owner of the Property through negotiations with the City of Sandy Springs has made available a strip of land contiguous and to the north of the Property for the creation of an east/west connector road desired by the City of Sandy Springs in keeping with its longrange plans for the Roswell Road Corridor. The development proposed by the Applicant results in a per acre density for the "For Rent" multifamily units of 77.19 units per acre and 806.06 square feet per acre for the proposed office and retail uses. The Property is designated on the Comprehensive Land Use Plan Map as Live/Work Community and these resulting densities do not strictly comply with the suggested levels of densities; however, this zoning proposal does comply with the policies and intent of the Main Street Overlay District within which the Property is located for redevelopment containing a mix of residential units together with street front office and retail uses located in the immediate area of the City Center Development. The Applicant further requests a two part Concurrent Variance for (1) a reduction in the required minimum Lot Area for parcels in living-working corridors from 10 acres to 4 acres pursuant to Article 8.2.3.G.2. and (2) delete the required minimum of ground level facades being transparent glazing of 60% along the right-of-way of Boylston Drive and the new road to be built contiguous and to the north pursuant to Article 12.B.8.F.C.i. The hardship burdening the Property is the inability of the Applicant to develop the Property in keeping with the policies and intent of the Zoning Ordinance without the approval of these Concurrent Variances which hardship is unique to the Property. Accordingly, this Application for Rezoning and Concurrent Variances and the constitutional assertions of the Applicant are more particularly stated and set forth on Exhibit "A" attached hereto and by reference thereto made a part hereof.

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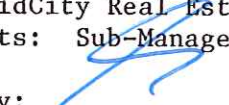
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City of Sandy Springs
Community Development

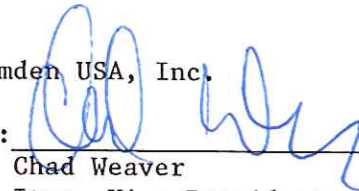
Now come the Applicants who do hereby request that this Application for Rezoning and Concurrent Variances be approved as submitted in order that the Applicants be able to proceed with the lawful use and development of the Property.

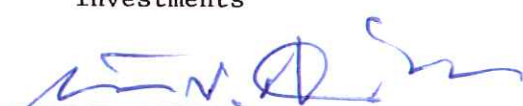
CO-APPLICANTS:

Griffin 6075 Roswell Road Partners, LLC
By: MidCity Real Estate Partners, Inc.
Its: Sub-Manager

By: 
Kirk Demetrops
Its: President

Camden USA, Inc.

By: 
Chad Weaver
Its: Vice President of Real Estate Investments


Nathan V. Hendricks III
Attorney for the Applicant

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Suite 200
Sandy Springs, Georgia 30328
(404) 255-5161

FIRST AMENDMENT TO APPLICATION FOR
REZONING AND CONCURRENT VARIANCES

IN RE:)
APPLICANT:) Application Number: 201404018
Griffin 6075 Roswell Road Partners, LLC)
AND Camden USA, Inc.)
PROPERTY:)
6075 and 6077 Roswell Road)
AND 0 and 6090 Boylston Drive)

Now come Griffin 6075 Roswell Road Partners, LLC and Camden USA, Inc.
(collectively the "Applicant" hereunder), who do hereby modify and amend
the above referenced Application for Rezoning and Concurrent Variances and
associated Letter of Intent as follows:


1.

The Site Plan originally filed with the Application is hereby deleted
and there is substituted and placed in lieu thereof the Site Plan filed simul-
teaneously herewith.

2.

The Legal Description of the Property originally filed with the Applica-
tion is hereby deleted and there is substituted and placed in lieu thereof
the Legal Description of the Property filed simultanesouly herewith. It is
to be noted that the resulting new acreage of the Property is 4.381 acres
which results in a per acre density for the "For Rent" multifamily units of
72.13 units per acre and not the original request of 77.19 units per acre.

Now, therefore the Applicant requests that this Application for Rezoning
and Concurrent Variances be approved as submitted and as modified and amended
hereunder in order that the Applicant be able to proceed with the lawful use
and development of the Property.



Nathan V. Hendricks III
Attorney for the Applicant

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Suite 200
Sandy Springs, Georgia 30328
(404) 255-5161

RECEIVED

FEB 2 2015

City Of Sandy Springs
Community Development



RESIDENTIAL/RETAIL/OFFICE AREA	369,426 SF
PARKING AREA	203,544 SF
TOTAL AREA	572,970 SF



NORTH TERRACES
400 PERIMETER CENTER TERRACE
SUITE 650
ATLANTA, GEORGIA 30346

FEB 2 2015

RECEIVED

RECEIVED

DEC 18 2014

City Of Sandy Springs
Community Development



Preliminary Perspective

Proposed 316 Unit Apartment Building

December 17, 2014

RECEIVED

DEC 18 2014

City Of Sandy Springs
Community Development



Preliminary Elevations

Proposed 316 Unit Apartment Building

December 17, 2014

Fulton County Schools - Rezoning Impact Statement

PETITION: 201404018

JURISDICTION: Sandy Springs

Proposed Residential Units

Single-family detached 0 Townhouses 0 Apartments 316 Condominiums 0

HOME SCHOOL	CURRENT ENROLLMENT ^A	GADOE CAPACITY	ESTIMATED # NEW STUDENTS GENERATED	PROJECTED UNDER/OVER CAPACITY ^B	
				WITHOUT DEV	WITH DEV
Lake Forest ES	979	850	5 to 204	129	134 to 333
Ridgeview Charter MS	1,102	1200	0 to 66	-98	-98 to -32
Riverwood Charter HS	1,551	1325	6 to 76	226	232 to 302
TOTAL			11 to 346		Insufficient historical data to run report? <input type="checkbox"/>

HS REGION: Riverwood Charter HS		AVERAGE - 1 STD DEV		AVERAGE + 1 STD. DEV.	
One single-family detached unit generates:		0.011618	to	0.234504	elementary school students
		0.000000	to	0.071573	middle school students
		0.002532	to	0.147522	high school students
One townhouse unit generates:		0.006694	to	0.103282	elementary school students
		0.000000	to	0.029924	middle school students
		0.013470	to	0.082704	high school students
One apartment unit generates:		0.017346	to	0.647094	elementary school students
		0.000000	to	0.209417	middle school students
		0.020138	to	0.24105	high school students
One condominium unit generates:		0.000000	to	0.380842	elementary school students
		0.000000	to	0.08986	middle school students
		0.000000	to	0.153862	high school students

AVERAGE OPERATIONAL COST PER STUDENT (FY14):

TOTAL COST:\$12,286 PORTION LOCAL REVENUE SOURCES: \$8,209 PORTION STATE AND OTHER REVENUE SOURCES: \$4,077

^A Based on first-month enrollment count for 2014-15 school year

^B Positive values indicate numbers of students a facility is over state capacity / negative values indicate number of students a facility is under state capacity.

* State capacity indicates space. However due to the number of special programs, portable classrooms or other measures may be needed to accommodate the instructional needs of the school.

** Student yields are calculated annually based on geocode of enrolled FCS students in built-out developments within the high school zone in which the proposed development is located.



Kasim Reed
MAYOR

CITY OF ATLANTA

DEPARTMENT OF WATERSHED MANAGEMENT

72 MARIETTA STREET SE
ATLANTA, GEORGIA 30303-3544
OFFICE 404-546-3230
FAX 404.739.3306

Jo Ann J. Macrina, PE
COMMISSIONER

December 16, 2014

Linda Abaray
City of Sandy Springs
Department of Community Development
Planning and Zoning Division
7840 Roswell Road, Building 500
Sandy Springs, Georgia 30350

Subject: Water Availability for 6077 & 6090 Roswell Rd, Sandy Springs, Ga.

Dear Linda Abaray,

Our records indicate that there is an existing 12 inch water main located within the roadway on the west side of the center line on Roswell Rd. between Hilderbrand Dr. and Sandy Springs Pl. This water main is owned and maintained by the City of Atlanta.

To integrate into Atlanta Water System or rearrange water facilities, the developer must submit the following to the City of Atlanta-Bureau of Engineering Services:

1. A set of stamped engineering drawings showing their developmental objectives for review and approval.
2. The enclosed basis of design form to include all applicable information, with a copy of a City of Atlanta fire hydrant flow test. Contact the Bureau of Engineering Services office of Meter Application at 404-330-6091 for payment and scheduling for the flow test.
3. A two thousand dollar deposit (\$2000.00). Check must be payable to City of Atlanta.

Once the plans have been approved, the developer will then receive additional instructions regarding the process and procedures from the Bureau of Engineering Services.

Should additional information be needed, please contact Jarrell Thornton at 404-546-3249.

Sincerely,

A blue ink signature of Jarrell Thornton, written in a cursive style.

Jarrell Thornton

Cc: Parett Smith



Kasim Reed
MAYOR

CITY OF ATLANTA

DEPARTMENT OF WATERSHED MANAGEMENT

72 MARIETTA STREET SE
ATLANTA, GEORGIA 30303-3544
OFFICE 404-546-3230
FAX 404.739.3306

Jo Ann J. Macrina, PE
COMMISSIONER

December 16, 2014

Linda Abaray
City of Sandy Springs
Department of Community Development
Planning and Zoning Division
7840 Roswell Road, Building 500
Sandy Springs, Georgia 30350

Subject: Water Availability for 0 & 6090 Boylston Dr., Sandy Springs, Ga.

Dear Linda Abaray,

Our records indicate that there is an existing 6 inch water main located, BOC on the west side of Boylston Dr. between Hammond Dr. and Hilderbrand Dr. This water main is owned and maintained by the City of Atlanta.

To integrate into Atlanta Water System or rearrange water facilities, the developer must submit the following to the City of Atlanta-Bureau of Engineering Services:

1. A set of stamped engineering drawings showing their developmental objectives for review and approval.
2. The enclosed basis of design form to include all applicable information, with a copy of a City of Atlanta fire hydrant flow test. Contact the Bureau of Engineering Services office of Meter Application at 404-330-6091 for payment and scheduling for the flow test.
3. A two thousand dollar deposit (\$2000.00). Check must be payable to City of Atlanta.

Once the plans have been approved, the developer will then receive additional instructions regarding the process and procedures from the Bureau of Engineering Services.

Should additional information be needed, please contact Jarrell Thornton at 404-546-3249.

Sincerely,

A blue ink signature of Jarrell Thornton, written in a cursive style.

Jarrell Thornton

Cc: Parett Smith

Abaray, Linda

From: Rusnak, Matthew <Matthew.Rusnak@bsci.com>
Sent: Wednesday, December 17, 2014 1:34 PM
To: Abaray, Linda
Subject: Apartment Developments

Dear Linda,

I was writing you today to voice my concern for the construction of the new apartments going up on Roswell Rd. I am resident of Whispering Pines and I love how the city was able to place the utilities underground for the new Abernathy Park. Is there a way they can do that for the new apartments?. Thank you for your time!

Matthew Rusnak, RN, CCDS
Field Clinical Representative
SICD Mentor
Boston Scientific CRM
Atlanta, GA
1.800. CARDIAC (227-3422)
matthew.rusnak@bsci.com

Abaray, Linda

From: Amy T <aat118@gmail.com>
Sent: Wednesday, December 17, 2014 9:50 PM
To: Abaray, Linda
Subject: Apartments

Why do we need more apartments in Sandy Springs?
We move here to get away from all the apartment complexes in the city where there's plenty. We need to put something useful there as in places that people use. This promotes overcrowding here and it's exactly what the residents that live here and pay taxes don't want. We live in a beautiful neighborhood of Sandy Springs and now it's being ruined and tainted. If people want to live in apartments why not go where they are cheap and affordable and in wonderful locations in Decatur, Midtown, and Atlanta?
No one who lives here will be happy about this.

Howard, Kevin

From: Tochie Blad <tblad1@comcast.net>
Sent: Friday, February 06, 2015 11:34 AM
To: Howard, Kevin
Subject: Letter for Packet on Mixed Use Apt. Applications/201404018 and 201404014

February 6, 2015

To: City Planners

FM: Tochie Blad, Greater Branches Neighborhood Assoc.

RE: Mixed use Apartment Applications- 201404018 and 201404014

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**City Of Sandy Springs
Community Development**

The Branches Neighborhood backs up to Peachtree Dunwoody Rd. and is concerned about these new precedent setting zoning applications for mixed use with high density apartments. The applications are now moving forward following the Sandy Springs City Council approval of the new mixed use zoning amendment approved Jan.20. With the approval of the new zoning mixed category, mixed use now requires only 4 acres in city center and PCID as opposed to 10. Under the old mix category, the 10 acres would have required an Atlanta Regional Commission review. By the developers breaking out their project, the review is avoided to look at infrastructure and its affect on the area. Both of the new mixed use applications exceed the Comprehensive Land Use plan(CLUP) which guides the city in the zoning process. We want the CLUP to be upheld or we will see continued use of the Mixed Use being used as a backdoor way to increase apartment density in the city.

The new category should not allow developers to violate the density of the Comprehensive land use plan. We ask that you deny these applications based on density. The infrastructure is not there to served these new developments.

Sincerely,

Howard, Kevin

From: Trisha Thompson <trishathompsonfox@comcast.net>
Sent: Thursday, February 05, 2015 4:16 PM
To: Howard, Kevin
Subject: 201404018 MIX Roswell Road- Camden

Kevin,

Sandy Springs Council of Neighborhoods would like to request a **Deferral** by the Planning Commission on this application. This request is based on the fact that the applicant does intend to provide a traffic study to be ready for the MCC meeting. We would prefer that the study be also available to the Planning Commission for inclusion in its careful evaluation. Traffic management is a major concern in the development of the City Center area.

If the Planning Commission does feel that they do not need a Deferral to evaluate a traffic study and impact, we would ask for a **Denial**. We base this request on (1) the density of the project as well as the fact that, (2) with a minimal Retail component, we do not feel it justifies the MIX and exceeds the Comprehensive Land Use Plan.

We would also like to comment that (3) with the interparcel access imposed by MCC at the recent Jolly/Franklin Road project, this site plan lacks the interparcel connectivity suggested by MCC actions.

Trisha Thompson
Zoning Chair
SSCN

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FEB 5 2015

**City Of Sandy Springs
Community Development**

Howard, Kevin

From: Parker, Angela
Sent: Wednesday, February 04, 2015 6:30 PM
To: Howard, Kevin
Cc: Cooley, Joe
Subject: Fwd: new apt project on Roswell Road

RECEIVED

FEB 4 2015

City Of Sandy Springs
Community Development

Begin forwarded message:

From: Susan Joseph <susanjoseph@mindspring.com>
Date: February 4, 2015 at 1:24:19 PM EST
To: Tibby DeJulio <tdejulio@sandyspringsga.gov>, Gabriel Sterling <gsterling@sandyspringsga.gov>, John Paulson <jpaulson@sandyspringsga.gov>, Graham McDonald <GMcDonald@SandySpringsga.gov>, Rusty Paul <rpaul@sandyspringsga.gov>, Ken Dishman <kdishman@sandyspringsga.gov>, "Andy Bauman" <abauman@sandyspringsga.gov>
Cc: Angela Parker <angela.parker@sandyspringsga.gov>
Subject: new apt project on Roswell Road

Dear Mayor and City Council Members:

I am writing regarding new development on Roswell Road of a little more than 700 apartments and "retail" development near our city center.

Our city's Comprehensive Plan calls for Apartment Building/Community Density to run between 5-20 units per acre. This 9 acre site would have more than 77 per acre. 5-20 units is fair and it should have a minimal impact of the traffic, schools and the like but anything larger is detrimental. As the City Center plan is calling for 1500 total residential units to be built in parallel with the development of the City Center, an additional 700+ units would further choke Roswell Road.

I don't believe the developers have done any traffic studies or impact studies on the current infrastructure. This is desperately needed for this area before any informed decision can be made.

Currently more than 40% of the residents in Sandy Springs live in apartments. If the city wants to re-develop the current apartments into condos or owner residential properties or improve the existing buildings, that might be an acceptable compromise but the city then would need to work with the best developers. These developers would need to have the neighborhood friendly mindset as their guiding light and refrain from using the "quick buck" mentality. Apartment dwellings do not generate committed citizens and they tend to bring down property values and add to traffic congestion. That is why citizens have made it clear that nothing above 60 (homeowner)-40 (renter) ration is conducive for Sandy Springs.

Howard, Kevin

From: Parker, Angela
Sent: Wednesday, February 04, 2015 1:04 PM
To: Cooley, Joe; Howard, Kevin
Subject: FW: 700 Apartments coming to Sandy Springs

Please include in the case.

Angela Parker
Community Development Director
City of Sandy Springs
Phone: 770.206.1574 Cell: 404.797.7807
Twitter.com/sandyspringsga – Breaking News & Traffic Alerts
Facebook.com/sandyspringsga – LIKE for Community News

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FEB 4 2015
City Of Sandy Springs
Community Development

From: Sterling, Gabriel
Sent: Wednesday, February 04, 2015 10:59 AM
To: Parker, Angela
Subject: Fwd: 700 Apartments coming to Sandy Springs

Sent from my iPad

Begin forwarded message:

From: dottie myers <myersds@bellsouth.net>
Date: February 4, 2015 at 10:58:03 AM EST
To: <gsterling@sandyspringsga.gov>
Cc: <rpaul@sandyspringsga.gov>, <jmcdonough@sandyspringsga.gov>
Subject: 700 Apartments coming to Sandy Springs

Hello, I live in the Mount Vernon Woods subdivision and am appalled to think that the city is even considering these 2 developments! Here are my reasons why I am so opposed to this sort of development.

1. The density of apartments, more than 77 per acre, is way over the city's 5-20 per acre.
2. Has anyone done a traffic study regarding the addition of who knows how many cars but at a minimum 700? One can hardly maneuver on Roswell Road as it stands today!
3. It would be nice to have a sustainable development. Perhaps restaurants and shops and offices but not 700 apartments!
4. I believe the city has lost sight of what neighborhoods are and how important they are to our future. More apartments do not make a neighborhood.

Would whoever knows who took over Linda Abaray's duties. please forward this email to them. Thanks.

Regards,

Dorothy S. Myers
6341 Vernon Woods Drive
Atlanta, Ga 30328
myersds@bellsouth.net

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FEB 4 2015

City Of Sandy Springs
Community Development

This e-mail message (including any attachments) is for the sole use of the intended recipient(s) and may contain confidential and privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message (including any attachments) is strictly prohibited. If you have received this message in error, please contact the sender and destroy all copies of the original message (including attachments). The City of Sandy Springs is a public entity subject to the Official Code of Georgia Annotated §§ 50-18-70 to 50-18-76 concerning public records. Email is covered under such laws and thus may be subject to disclosure.

Abaray, Linda

From: Tim <timpatkel@yahoo.com>
Sent: Wednesday, December 10, 2014 4:52 PM
To: Abaray, Linda
Subject: apartment developments

Linda,

I've read about the two new proposed apartment developments on Roswell Rd at the Brickery and BOA sites. I reside on N. Hampton Dr and travel that part of Roswell Rd multiple times daily. My suggestion would be to make the developers pay for UNDERGROUND utilities for as much of Roswell Rd as possible. This was done at the new park on Abernathy and makes it look great. Since that stretch of Abernathy looks so good, it makes the hideousness of those wires on Roswell Rd really stand out.

Good luck at your Dec. 17 meeting.

Tim Kelley

678-860-1901
Fitzgerald Realty
www.MikeFitzgeraldRealty.com